



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
-----------------	-------------	----------------------	---------------------	------------------

10/672,664

09/26/2003

Jeyhan Karaoguz

14446US02

9798

23446 7590 03/15/2010
MCANDREWS HELD & MALLOY, LTD
500 WEST MADISON STREET
SUITE 3400
CHICAGO, IL 60661

EXAMINER

LUONG, ALAN H

ART UNIT

PAPER NUMBER

2427

MAIL DATE

DELIVERY MODE

03/15/2010

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary	Application No. 10/672,664	Applicant(s) KARAOGUZ ET AL.	
	Examiner ALAN LUONG	Art Unit 2427	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 19 November 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-7, 9-18, 20-34 and 36-61 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-7, 9-18, 20-34 and 36-61 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date _____ | 6) <input type="checkbox"/> Other: _____ |

DETAILED ACTION

This is re-opening prosecution case based on the Pre-brief Appeal conference decision on 11 January, 2010.

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims **1-7, 9-18, 20-24, 31-34, 36-40, 42-46, 48-51, 56-58 and 60-61** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al.** (US Pat. No. 6,799,201); in view of **Lavelle et al.** (US Pub. No. 2004/0073932)

Regarding to claim 1: Fig. 3 of Lee discloses **a system providing support for the delivery of media to an authorized vehicle [184] (Lee, col. 11 lines 1-11),**

the system comprising:

a storage [194] for storing media (a broadcaster relational database 194 containing information about all AM, FM and TV analog audio broadcasts that can be received in a vehicle 184 within the host nation of the gateway network 30) **(Lee, col. 11 lines 33-45)**
and having an associated first network address (i.e. same as IP address of Gateway 30 wherein maintains a database management system to control several important system databases including [194]) **(Lee, col. 11, lines 3-6);**

Art Unit: 2427

set top box circuitry [30] communicatively coupled to the storage (The gateway 30 provides a broadcaster relational database 194 containing information about all AM, FM and TV analog audio broadcasts) **(Lee, col. 11 lines 31-45), the set top box circuitry arranged to exchange media via a communication network using a first communication interface** (i.e. Firewall through Internet [208]) **(Lee, col. 11, lines 6-11), the set top box circuitry supporting wireless communication of media using a second communication interface** the set top box circuitry_ being remotely located from the authorized vehicle (i.e. Firewall through IP [180]) **(Lee, col. 11, lines 12-30); at least one vehicle system (as Fig. 2 of Lee) within the authorized vehicle [184]** remotely located from and **communicatively coupled to the set top box circuitry [30] via the second communication interface** (Fig. 2 illustrates a wide band wireless Internet addressable gateway transceiver 130 to receive Internet protocol based audio broadcasts, new applications known as information or data channels, and configuration data from a gateway network 30 created to service the multimedia devices 20)(**Lee, Fig. 2, col. 8 line 64 to col. 9 line 5), the at least one vehicle system having an associated second network address** (i.e. Internet addressable of vehicle [184]) **(Lee, col. 6, lines 8-11), the at least one vehicle system comprising an entertainment system (i.e. multimedia device [20] of Fig. 2) (multimedia devices 20 inside vehicle 184) (Lee, col. 6, lines 31-33),**

a user interface [206] to support the delivery of media (Using a remote computer 206 with an Internet connection 208, the user preferably logs into the Internet gateway network 30, registers information about the multimedia device 20 itself and uses Web

page through a remote computer [206] to request to update configuration data to gateway [30] where sends the new configuration data to multimedia device [20] inside vehicle [184])(**Lee, col. 12, lines 52-67 and col. 14, lines 31-41**), **the user interface having at least one view** (i.e. Web browser as shown in Fig. 5) **comprising a representation of a sequence of media available for delivery to the at least one vehicle system** (The user will then see a web page that will be dynamically created. It will contain all audio channels available in his area organized by format. All the formats and stations selected are transferred to the user's profile pages on the Internet gateway 30)(**Lee, col. 14, lines 50-57**), **the at least one view comprising a first personal media channel that facilitates a user-defined transfer large media via the at least one vehicle system** (Fig. 2 depicts a Preset buttons 166 on the display screen 160 are user configurable buttons that allow the user to select any one channel, group of channels or even channels from different categories that can be played or displayed with the press of a single button. A preset button 166 can also be assigned to any personal information channel application, user defined labels 170 for preset buttons 166 preferably appear on the screen 168 above the preset buttons 166 to indicate their purpose). (**Lee, col. 10, lines 16-36**)(example: transfer MP3 file to vehicle by WLAN from remote computer [206]) (**col. 13, lines 11-20**).

at least one server ([182], [188], [194], [204] of Fig. 3) **for storing media** (**Lee, col. 7, lines 59-64**), **and having an associated third network address** (i.e. IP address of computer [182], [188], [194] or [204]) (**Lee, col. 11, lines 3-6**)

Art Unit: 2427

server software that receives a request, via the communication network.(gateway [30] downloads new application service to multimedia device [20] to create Wage page as shown in Fig.5) (**Lee, col. 12, lines 26-32, col. 14, lines 50-64 and col. 15, lines 4-7**) (from the Web page user request tune broadcast channel by using software server [194] to tune receiver [100] of vehicle [184] or request from GPS transceiver [110] of vehicle [184] to the gateway [30] to update new location of vehicle [184] if it is out of range of service; in order to reset media station) (**col. 15, lines 8-26**) (Key word recognition software allows the user to make the same channel selections that could be made from any of the button controls while use is driving) (**col. 10, lines 59-67**).**identifying one or more of the associated first, second, and/or third network addresses** (The in-vehicle wireless gateway transceiver 130 which associated with the **second network addresses** can also send information to the gateway network 30 which associated with the **first network addresses** such as requests for navigation data, advertisement responses, purchase requests, etc.) (**Lee, col. 8, line 64-col. 9 line 5**) **and authorization information**, (User must log on the gateway network [30] to register **authorization information** associated with information of vehicle [184] and provides billing information) (**col. 14, lines 31-41**) **responds by identifying at least one other of the one or more of the associated first, second, and/or third network addresses to support the delivery of media to the at least one vehicle system.** (When the device 20 is instructed to tune to a particular local or satellite station in the vehicle 184 which associated with the **second network addresses**, its tuning program will retrieve the band and frequency information

Art Unit: 2427

contained in its local database of stations 194, and then tune the software programmable receiver 100 inside multimedia device [20] of vehicle [184] that associated with **the second network address**, the tuning program will create a wireless Internet connection with the gateway 30 which associated with the **first network addresses**, using the designated URL in its local database 194 which is **associated third network address** as the source of the streaming broadcast, and will then run an appropriate application to play the broadcast). (Lee, col. 15, lines 8-18)

However, Lee fails to teach “**transfer a video game to one or both of the entertainment system and/or a handheld electronic game system via the at least one vehicle system**”;

In an analogous art directed toward a similar problem namely improving the results from **transfer a video game to one or both of the entertainment system and/or a handheld electronic game system via the at least one vehicle system**; Fig. 1A of Lavelle illustrates an entertainment unit [100] is installed in a vehicle, includes an external audio/video signal processor [124], **a video game** player [126] facilities for performing signal processing and/or signal conversion [127], a first wireless transmitter [128], and a second wireless transmitter [130] for transmitting a A/V signals to external audio/video signal processor 124 of an entertainment unit [100] from an external device as **handheld video games** in the different entertainment unit which may be in another vehicle for reproduction of the signals output therefrom)(**Lavelle, ¶0035, ¶0042**) meets **(transfer a video game to the entertainment system via the at least one vehicle system)**. It would have been obvious to a person of ordinary skill in the art at the time of

the invention to modify a media distribution system to deliver a media to a vehicle of Lee with a video game player in vehicle as taught by Lavelle to provide a multimedia entertainment unit for a vehicle which allows for a plurality of passengers to each watch and/or listen to a different media. (§0003)

Regarding to claims 2: The method of claim 1; Lee also teaches **wherein the media comprises one or more of audio, a still image, video, real-time video, and/or data (Lee, col. 6, lines 15-30).**

Regarding to claim 3: The system of claim 1 above; Lee also teaches **wherein the media comprises navigational information;** (The gateway 30 also provides navigation services through a dedicated computer 202 to the vehicle 184. The vehicle 184 provides location information from its GPS receiver 110 (FIG. 2) to the gateway 30, and the gateway 30 in turn provides mapping services to the vehicle showing travel routes or locations of interest.)(Lee, **col. 12, lines 14-19).**

information related to commercial broadcasters (Advertising databases 196 provide information about advertisements (e.g., advertiser name, ad content, time of ad run, etc.) that are inserted into real-time radio broadcasts and into digital personalized broadcasts) (Lee, **col. 11, lines 46-49).**

Regarding to claim 4: The system of claim 1; Lee also teaches **wherein one or more of the associated first, second, and/or third network addresses is an Internet protocol (IP) address** (a remotely programmable, microcomputer controlled multimedia device 20 in a vehicle 184 with a wireless IP address for Internet access) (Lee, **col. 11, lines 8-11).**

Regarding to claims 5, 6: The system of claim 1; Lee also teaches **wherein the communication network comprises an Internet infrastructure, an intranet infrastructure, a wired infrastructure, and/or a wireless infrastructure** (The Internet gateway network 30 preferably consists of standard Internet TCP/IP protocol communications equipment 180. The gateway 30 is designed to provide wireless Internet access to the multimedia device 20 in the vehicle 184)(**Lee, col. 11, lines 3-21**), (the transfer of personal MP3 files from the user's home computer 206 connected to the vehicle multimedia device 20 through an IEEE 802.11 standard wireless LAN.) (**col. 13, lines 14-20**).

Regarding to claim 7: The method of claim 1 above; Lavelle also teaches **wherein the second communication interface comprises both an infrared link and a radio frequency link.** (The wireless signals can be any type of wireless signal including, but not limited to, radio frequency and infrared signals.)(**See Lavelle, ¶0033 and ¶0034**)

Regarding to claims 9, 10: The system of claims 1, Lavelle further teaches wherein the at least **one vehicle system [100] comprises an interface to at least one media peripheral wherein the at least one media peripheral comprises a CD player [120], a DVD player [118], a television [114]** (see Lavelle, Fig. 1A, **¶0032, ¶0035 and ¶0036**)

Regarding to claims 11: The system of claims 9 above; Lee further teaches **wherein the authorization information is supplied by the at least one media peripheral** (User profile databases 198 contain information about the user's system

Art Unit: 2427

preferences, billing information and a purchasing interest profile (**See Lee, Fig. 3, col. 11, lines 64-66**) (Using a remote computer 206 with an Internet connection 208, the user preferably logs into the Internet gateway network 30 or create a user profile. (**col. 14, lines 30-41**).

Regarding to claims 12: The method of claim 1; Lee also discloses **wherein the authorization information comprises a digital certificate comprising a device ID, information regarding billing.** (Using a remote computer 206 with an Internet connection 208, the user preferably logs into the Internet gateway network 30 or create a user profile and registers information about the multimedia device 20 itself (e.g., identification number, model, etc.), provide billing information, provide information about the vehicle 184) (**col. 14, lines 30-41**).

Regarding to claims 13: In the system of claims 1 above; Lee also discloses **wherein the at least one server supports one media storage** (gateway server [182], [210] support database [194] Data streaming server [188] support cache [190]). (**col. 11, lines 3-11, lines 23-38**).

Regarding to claim 14: Merely repeats the same limitations of claim 1; claim 14 is anticipated by Lee and Lavelle. See claim 1 rejection.

Regarding to claim 15: The system of claim 14, claim 15 merely repeats the same limitations of claim 2; claim 15 is rejected on same ground as claim 2, anticipated by Lee and Lavelle.

Regarding to claim 16: The system of claim 14, claim 16 merely repeats the same limitations of claim 3; claim 16 is rejected on same ground as claim 3, anticipated by Lee and Lavelle.

Regarding to claims 17, 18: The system of claim 14, claims 17, 18 merely repeat the same limitations of claims 5 and 6; claims 17, 18 are rejected on same ground as claims 5 and 6, anticipated by Lee and Lavelle.

Regarding to claims 20, 21: The system of claim 14, claims 20, 21 merely repeat the same limitations of claims 9 and 10; claims 20, 21 are rejected on same ground as claims 9 and 10, anticipated by Lee and Lavelle.

Regarding to claim 22: The system of claim 20, claim 22 merely repeats the same limitations of claim 11; claim 22 is rejected on same ground as claim 11, anticipated by Lee and Lavelle.

Regarding to claim 23: The system of claim 14, claim 23 merely repeats the same limitations of claim 12; claim 23 is rejected on same ground as claim 12, anticipated by Lee and Lavelle.

Regarding to claim 24: The system of claim 14, claim 24 merely repeats the same limitations of claim 13; claim 24 is rejected on same ground as claim 13, anticipated by Lee and Lavelle.

Regarding to claim 31: Merely repeats the same limitations of claim 1, claim 31 is anticipated by Lee and Lavelle. See claim 1 rejection.

Regarding to claim 32: The system of claim 31, claim 32 merely repeats the same limitations of claim 2; claim 32 is rejected on same ground as claim 2, anticipated by Lee and Lavelle.

Regarding to claim 33. In the system of claim 31; Lee also teaches **wherein the media comprises information related to travel routine information.** (The vehicle 184 provides location information from its GPS receiver 110 (FIG. 2) to the gateway 30, and the gateway 30 in turn provides mapping services to the vehicle showing travel routes or locations of interest.)(**Lee, col. 12 lines 14-19**)

Regarding to claim 34: The system of claim 31, claim 34 merely repeats the same limitations of claim 5, claim 34 is rejected on same ground as claim 5, anticipated by Lee and Lavelle.

Regarding to claims 36, 37: The system of claim 31, claim s 36, 37 merely repeat the same limitations of claims 9, 10, claims 36, 37 are anticipated by Lee and Lavelle. See claims 9, 10 rejections.

Regarding to claim 38. The system of claim 36 above; claim 38 merely repeats the same limitations of claim 11; claim 38 is anticipated by Lee and Lavelle. See claim 11 rejection.

Regarding to claim 39: The system of claim 31 above; claim 39 merely repeats the same limitations of claim 12; claim 39 is anticipated by Lee and Lavelle. See claim 12 rejection.

Regarding to claim 40. The system of claim 1 above; Fig. 2 of Lee illustrates a multimedia device [20] **wherein the at least one vehicle system** in vehicle [184]

comprises a navigation system [110] (Lee, col. 8 lines 60-61), the at least one view [160] comprising a second personal media channel that facilitates a user-defined navigation update to the navigation system. (The gateway 30 also provides navigation services through a dedicated computer 202 to the vehicle 184. The vehicle 184 provides location information from its GPS receiver 110 (FIG. 2) to the gateway 30, and the gateway 30 in turn provides mapping services to the vehicle showing travel routes or locations of interest. The gateway 30 also transmits other software applications to the vehicle 184 for use in the multimedia device 20. These applications are referred to as channels and comprise the personal information services of the system 10 (navigation, email, etc.) for creating a second personal media channel as same as a first personal media channel above discussed in claim 1; see **(Lee, col. 10, lines 16-36)**. These applications or channels can be downloaded to the vehicle 184 from a computer 204 at any time to instantly add to the features of the multimedia device 20 including update to the navigation system). **(Lee, col. 12 lines 14-32)**

Regarding to claim 42. The system of claim 40, Lavelle also teaches **wherein the at least one vehicle system comprises a music system** (devices connected to Audio Bus [172]) **and a video system** (devices connected to Video Bus [170]) **(Lavelle, Fig. 1A, ¶0040)**. Addition, Lee teaches **the at least one view comprising a third personal media channel that facilitates a user-defined transfer of a song to the music system** (Fig. 1 of Lee illustrates a remote computer [40] as computer [206] user accesses to a wireless communication [70] as **a third personal media channel** for the transfer of personal MP3 files from the user's home computer 206 connected to [72] of

the vehicle multimedia device 20 through an IEEE 802.11 standard wireless LAN) (**Lee, col. 13 lines 17-20**) and a **fourth personal media channel** (If there are multiple users on one account (e.g., family members) then each user will preferably have a unique profile in the user database 198 that may creates a **fourth personal media channel** by using preset button [166] on a display [158] of Fig. 2 (**Lee, col. 9 lines 43-51, col. 10 lines 17-36 and col. 12 lines 4-6**), Lavelle also teaches that “an external device (i.e., one not included in the entertainment unit 100 of vehicle) **facilitates a user-defined transfer of a movie to** the external audio/video signal processor 124 of **the video system** [100] for reproduction of the signals output on display [112]” (Lavelle, ¶0042).

Regarding to claim 43: The system of claim 1, **wherein the at least one view comprises at least one friends and family channel** (If there are multiple users on one account (e.g., family members) then each user will preferably have a unique profile in the user database 198). (**Lee, col. 8 lines 6-11 and col. 12 lines 4-6**), the unique profile in the user database 198 can access on Web page of the internet gateway network [30] when user logs onto internet [208] (**Lee, col. 12 lines 61-63**)

Regarding to claim 44: The system of claim 1, Fig. 3 of Lee illustrates **wherein the at least one view comprises at least one 3rd party broadcast media channel** [186c] (The gateway 30 serves as an Internet Service Provider to vehicles 184 through various forms of wireless transmission 186 includes a faster satellite networks [186c] which provides Digital audio broadcasts broadband) (**Lee, col. 12 lines 12-21**).

Regarding to claim 45: The system of claim 9, Fig. 3 of Lee illustrates server [188] and [194] **wherein the at least one media peripheral offloads media data to the**

Art Unit: 2427

vehicle system. (Dedicated streaming data servers 188 will be used to broadcast personalized audio broadcasts to the vehicle 184 and the gateway 30 provides broadcaster relational database 194 containing information about all AM, FM and TV analog audio broadcasts that can unload in a vehicle 184 within the host nation of the gateway network 30) (**Lee, col. 11 lines 23-45**).

Regarding to claim 46: The system of claim 14, claim 46 merely repeats the same limitations of claim 40, claim 46 is rejected on same ground as claim 40, anticipated by Lee and Lavelle.

Regarding to claim 48. The system of claim 46, claim 48 merely repeats the same limitations of claim 42, claim 48 is rejected on same ground as claim 42, anticipated by Lee and Lavelle.

Regarding to claim 49. The system of claim 20, claim 49 merely repeats the same limitations of claim 45, claim 49 is rejected on same ground as claim 45, anticipated by Lee and Lavelle.

Regarding to claim 50: The system of claim 14, claim 50 merely repeats the same limitations of claim 43, claim 50 is rejected on same ground as claim 43, anticipated by Lee and Lavelle.

Regarding to claim 51. The system of claim 14, claim 51 merely repeats the same limitations of claim 44, claim 51 is rejected on same ground as claim 44, anticipated by Lee and Lavelle.

Art Unit: 2427

Regarding to claim 56. The system of claim 31, claim 56 merely repeats the same limitations of claim 43, claim 56 is rejected on same ground as claim 43, anticipated by Lee and Lavelle.

Regarding to claim 57. The system of claim 31, claim 57 merely repeats the same limitations of claim 44, claim 57 is rejected on same ground as claim 44, anticipated by Lee and Lavelle.

Regarding to claim 58. The system of claim 31, claim 58 merely repeats the same limitations of claim 40, claim 58 is rejected on same ground as claim 40, anticipated by Lee and Lavelle.

Regarding to claim 60. The system of claim 57, claim 60 merely repeats the same limitations of claim 42, claim 60 is rejected on same ground as claim 42, anticipated by Lee and Lavelle.

Regarding to claim 61. The system of claim 1, claim 61 merely repeats the same limitations of claim 43, claim 61 is rejected on same ground as claim 43, anticipated by Lee and Lavelle.

3. Claims **41, 47 and 59** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee** et al. and **Lavelle** et al.; in view of **Witkowski** et al. (US Pub. No. 2004/0203379 A1);

Regarding to claim 41: The system of claim 40, Lee also teaches **wherein the navigation system collects vehicle route (Lee, col. 12 lines 14-25), and uploads the vehicle route, (Lee, col. 12 lines 14-25 and col. 14 lines 31-41)**

Lee fails to teaches **performance and engine maintenance information with respect to the authorized vehicle**

In an analogous art directed toward a similar problem namely improving the results from **performance and engine maintenance information with respect to the authorized vehicle**, Witkowski teaches a wireless communication for “**performance and engine maintenance information with respect to the authorized vehicle**” (Witkowski, ¶¶0052-¶0054). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the navigation system of Lee includes a wireless communication as taught by Witkowski to transmit the vehicle diagnostic information to a service station while other operations are being performed on a vehicle (e.g., oil change, etc.) reduce the amount of time necessary to diagnose problems with a vehicle and increase the efficiency of providing service for a vehicle. (Witkowski, ¶0013)

Regarding to claim 47. The system of claim 46, claim 47 merely repeats the same limitations of claim 41, claim 47 is rejected for the same reason as discussed in claim 41.

Regarding to claim 59. The system of claim 57, claim 59 merely repeats the same limitations of claim 41, claim 59 is rejected for the same reason as discussed in claim 41.

4. **Claims 25-30, 52, 54-55** are rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee et al.** and **Lavelle et al.**; in view of **Novak** (US Pub. No. 2003/0097655 A1; hereinafter Novak)

Regarding to claim 25: A method for delivering media to an authorized vehicle ([184] of Fig. 3)(Lee, col. 11 lines 1-11),the method comprising:

selecting media (audio broadcasts) **for delivery based upon input from a user** (A user operates an application by tuning to a "channel" in keeping with the known radio paradigm and its user friendly operations. The two types of channels preferably available are audio broadcasts (e.g., AM, FM, TV, digital, Internet audio broadcasts and recorded material) and personal information services (e.g., navigation, email, traffic alerts, etc.). **(Lee, col. 6 lines 17-23)**

identifying a vehicle system [184 of Fig. 3] **comprising an entertainment system** [20] **to receive the selected media based upon input from the user;** (The user preferably logs into the Internet gateway network 30 to register information about the multimedia device 20 of vehicle [184] itself (e.g., identification number, model, etc.), provide billing information, provide information about the vehicle 184 if the device is an OEM installation, and complete the purchase interest profile so that advertisements can be directed to his vehicle 184 that meet the user's buying needs). **(Lee, col. 14 lines 31-41)**

determining if the vehicle system is available to receive the selected media ;(the user indicates where the multimedia unit 20 is currently located. This information will be used to access the broadcaster database 194 and retrieve tuning and other related information about those local stations that may be received in this area. Next, user will then see a web page that will be dynamically created. It will contain all audio channels available in his area organized by format. FIG. 5 shows examples of the types of

Art Unit: 2427

information that may be seen. By default, all formats and stations are selected.) **(Lee, col. 14 lines 42-57)**

receiving authorization information from the vehicle system (Using a remote computer 206 with an Internet connection 208, the user preferably logs into the Internet gateway network 30 and registers **authorization information** about the multimedia device 20 itself (e.g., identification number, model, etc.) **which is receiving from the vehicle system**, provide billing information, provide information about the vehicle 184). **(Lee, col. 14 lines 31-41)**

facilitating a transfer, via the vehicle system [184], of audio broadcasts to the entertainment system [20] (All the formats and stations selected are transferred to the user's profile pages on the Internet gateway 30. The gateway 30 will next awaken the multimedia device 20 and then transfer the configuration data to the multimedia device's local database 198 and also download any new service applications to the device 20). **(Lee, col. 15 lines 2-7)**

However, Lee fails to teach “*transfer, via the vehicle system [184], of a video game from a source that is remote from the authorized vehicle to the entertainment system*”

In an analogous art directed toward a similar problem namely improving the results from *transfer a video game from a source that is remote from the authorized vehicle* to the entertainment system via the at least one vehicle system; Fig. 1A of Lavelle illustrates an entertainment unit [100] is installed in a vehicle, includes an external audio/video signal processor [124], a video game player [126] facilities for performing signal

Art Unit: 2427

processing and/or signal conversion [127], a first wireless transmitter [128], and a second wireless transmitter [130] for **transfer a video game to the entertainment system via the at least one vehicle system** (the external audio/video signal processor [124] receives signals as **a video game from a source that is remote from the authorized vehicle** (*i.e.* from an external **handheld video games** in the different entertainment unit which may be in another vehicle for reproduction of the signals output therefrom)(**Lavelle, ¶0035, ¶0042**). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify a media distribution system to deliver a media to a vehicle of Lee with a video game player in vehicle as taught by Lavelle to provide a multimedia entertainment unit for a vehicle which allows for a plurality of passengers to each watch and/or listen to a different media. (¶0003).

Neither Lee nor Lavelle teaches **step of verification the authorization information for delivering the selected media if it is successful and refraining from delivering the selected media if the verification is not successful**.

Novak; in the same field for providing conditional access to digital content; teaches **verification the authorization information for delivering the selected media if it is successful and refraining from delivering the selected media if the verification is not successful**. (The server system 1000 includes a request reception component 1004 that receives a request 409 from a user 402 (example: user in the automobile) to view specific digital content 404 (example: a pay-per-view program). The request reception component 1004 may extract identity credentials for the user 402 which are passed to a verification component 1006. The verification component 1006 may be

Art Unit: 2427

coupled to a search component 1008. The search component 1008 searches a plurality of licenses 411 stored in a storage device, as described above. The storage device may be local to the server system 1000 or may be accessed remotely via a network; if the license key 412 is already in use, the concurrent use determination component 1010 prevents a second license key 412 from being sent and may send a denied message 702 to the requesting device (example: automobile PC in the remote access device of user 402). If the concurrent use determination component 1010 and license determination component 1012 allow transmission of the license 411 and/or license key 412, a transmission component 1014 sends the license 411 and/or license key 412 to the user 402. As discussed earlier, the license key 412 permits a user's STB 102 to decrypt an access key 414 which, in turn, allows the STB 102 to decrypt the licensed digital content 404); **(see Novak, Fig. 10, ¶0137 to ¶0143)**. It would have been obvious to a person of ordinary skill in the art at the time of the invention to include a method for delivering media to an authorized vehicle of Ellis with providing conditional access to digital content as taught by Novak; in order to provide conditional access to digital content that does not limit a user to watching purchased content on a single viewing device and associate a license to view the content with a particular user, and allows that user to convey at least a portion of his or her license to another user; that permits more sophisticated content licensing models than a onetime or unlimited-viewing model.

Regarding to claim 26: The method of claim 25; claim 26 merely repeats the same limitations of claim 2; claim 26 is anticipated by Lee, Lavelle and Novak. See claim 2 rejection.

Regarding to claim 27: The method of claim 25; Ellis also teaches “User interface 46 may be user input device, the user instructs control circuitry 42 to display a desired television channel on display device 45 which may be a television, monitor, or other suitable display device displays the features of the program guide”, **(see US’208, ¶0089)** meets the limitation of **wherein the selecting and identifying are performed via a user interface having at least one view comprising a graphical representation of media available for delivery to the at least one media peripheral; (see US’208, ¶0089).**

Regarding to claim 28: The method of claim 25; claim 28 merely repeats the same limitations of claim 12; claim 28 is anticipated by Lee, Lavelle and Novak. See claim 12 rejection.

Regarding to claims 29, 30: Lee, Lavelle and Novak teach all limitations of the method in claim 25 above; Lavelle also teaches **wherein the receiving and delivering are performed using a wireless communication link comprises an infrared and a radio frequency link.** (The capability of allowing the plurality of passengers to hear, for example, the different movies or a movie and a compact disk soundtrack at the same time, is achieved through the use of a wireless transmitter and wireless headphones. The wireless signals can be any type of wireless signal including, but not limited to, radio frequency and infrared signals.)(**See Lavelle, ¶0033 and ¶0034).**

Regarding to claim 52. The method of claim 25, claim 52 merely repeats the same limitations of claim 40, claim 52 is rejected on same ground as claim 40,

Regarding to claim 54. The method of claim 25, claim 54 merely repeats the same limitations of claim 42, claim 54 is rejected on same ground as claim 42,

Regarding to claim 55. The method of claim 25, claim 55 merely repeats the same limitations of claim 45, claim 55 is rejected on same ground as claim 45,

5. Claim **53** is rejected under 35 U.S.C. 103(a) as being unpatentable over **Lee** et al., **Lavelle** et al. and **Novak**; in view of **Witkowski** et al. (US Pub. No. 2004/0203379 A1);

Regarding to claim 53. The method of claim 52, Lee also teaches **wherein the navigation system collects vehicle route (Lee, col. 12 lines 14-25), and uploads the vehicle route, (Lee, col. 12 lines 14-25 and col. 14 lines 31-41)**

Neither Lee, Lavelle nor Novak teaches **performance and engine maintenance information with respect to the authorized vehicle**

In an analogous art directed toward a similar problem namely improving the results from **performance and engine maintenance information with respect to the authorized vehicle**, Witkowski teaches a wireless communication for **“performance and engine maintenance information with respect to the authorized vehicle”** (Witkowski, ¶0052-¶0054). It would have been obvious to a person of ordinary skill in the art at the time of the invention to modify the navigation system of Lee, Lavelle and Novak includes a wireless communication as taught by Witkowski to transmit the vehicle diagnostic information to a service station while other operations are being performed on a vehicle (e.g., oil change, etc.) reduce the amount of time necessary to

Art Unit: 2427

diagnose problems with a vehicle and increase the efficiency of providing service for a vehicle. (Witkowski, ¶0013)

Response to Arguments

6. Applicant's arguments, see Pre Appeal Brief Request; pages 4-5, filed on 19 November, 2009, with respect to the rejection(s) of claim(s) 41 and 53 under 35 U.S.C. 103(a) as being unpatentable over Lee; in view of Lavelle have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of Witkowski.

Applicant's arguments filed 19 November, 2009 have been fully considered but they are not persuasive.

A. Applicant respectfully submits that Lee does not describe, teach or suggest a "set top box circuitry" remote from a vehicle and a vehicle system network. (*Pre-Appeal Brief, pages 2-3*), Examiner respectfully disagrees.

Examiner relies on Lee teaches Internet gateway 30 comprises a **set top box circuitry**. The gateway 30 is not A Set-top box, however, the Gateway 30 has a function as a **set top box circuitry**, Example: the gateway 30 exchanges media via using as Firewall through Internet (a communication Network) [208]) (**Lee, col. 11, lines 1-11**), Fig. 3 of Lee illustrates Internet Gateway [30] (as the set top box circuitry) being remotely located from the authorized vehicle [184] through IP network as Firewall through IP [180]).

(**Lee, col. 11 lines 1-45**). Therefore, Lee does describe, teach or suggest a "set top box circuitry" remote from a vehicle and a vehicle system network as defined in paragraph 0015 of invention specification.

B. Additionally, Applicant respectfully submits that "Neither Lee nor Lavelle, alone or in combination with one another, describes, teaches or suggests ***"a first personal media channel that facilitates a user-defined transfer from the set top box circuitry via the at least one vehicle system, of a video game to one or both of the entertainment system and/or a handheld electronic game system."*** (Pre-Appeal Brief, pages 4-5), Examiner respectfully disagrees.

In response to applicant's argument that there is no suggestion to combine the references, the examiner recognizes that obviousness can only be established by combining or modifying the teachings of the prior art to produce the claimed invention where there is some teaching, suggestion, or motivation to do so found either in the references themselves or in the knowledge generally available to one of ordinary skill in the art. See *In re Fine*, 837 F.2d 1071, 5 USPQ2d 1596 (Fed. Cir. 1988) and *In re Jones*, 958 F.2d 347, 21 USPQ2d 1941 (Fed. Cir. 1992). In this case, Examiner relies on Fig. 2 of Lee depicts a multimedia device [20] includes the display screen 160 are connected to Gateway transceiver [130] where communicates with Set-top box circuitry [30]; *transfer from the set top box circuitry* requests for navigation data, advertisement responses, purchase requests, etc... (**Lee, col. 8, line 64-col. 9 line 5**), in vehicle, user selects a preset button 166 can also be assigned to any personal information channel application (*a first personal media channel*), this Preset button 166 on the display

Art Unit: 2427

screen 160 that allow the user to select any one channel, group of channels or even channels from different categories.. (**Lee, col. 10, lines 16-36**) meets the limitation of *"a first personal media channel that facilitates a user-defined transfer from the set top box circuitry [which is remote from the vehicle], via the at least one vehicle system"*.

In combination with Lee, Lavelle discloses Fig. 1A illustrates an entertainment unit [100] (i.e. as the multimedia device [20] of Lee) is installed in a vehicle, includes an external audio/video signal processor [124], where receives signals may include **a video game** from an external **handheld video games** in the different entertainment unit which may be in another vehicle for reproduction of the signals output therefrom (*i.e. as a video game*)(**Lavelle, ¶0035, ¶0042**) meets the limitation of **transfer a video game to one or both of the entertainment system and/or a handheld electronic game system via the at least one vehicle system**. Examiner understands Applicant's position, but it would have been obvious to combine Lee with Lavelle, describe, teach or suggest *"a first personal media channel that facilitates a user-defined transfer from the set top box circuitry [which is remote from the vehicle], via the at least one vehicle system, of a video game to one or both of the entertainment system and/or a handheld electronic game system."*

C. With respect to claims 40. Applicant respectfully submits that, Lee does not describe, teach or suggest "a second personal media channel that facilitates a user-defined navigation update to the navigation system. (*Pre-Appeal Brief, pages 4-5*), Examiner respectfully disagrees.

Art Unit: 2427

Lee discloses the vehicle 184 provides location information from its GPS receiver 110 (FIG. 2) to the set-top box (i.e. as gateway 30) where provides navigation services through a dedicated computer 202 to the vehicle 184, as provides mapping services to the vehicle showing travel routes or locations of interest. The set-top box 30 also transmits other software applications to the vehicle 184 for use in the multimedia device 20. These applications are referred to as channels and comprise the personal information services of the system 10 (navigation, email, etc.) for creating a second personal media channel as same as a first personal media channel above discussed (**Lee, col. 10, lines 16-36**). These applications or channels can be downloaded to the vehicle 184 from a computer 204 at any time to instantly add to the features of the multimedia device 20; broadly including update to the navigation system). (**Lee, col. 12 lines 14-32**) Examiner understands Applicant's position, but it would have been obvious to combine Lee with Lavelle, describe, teach or suggest "*a second personal media channel that facilitates a user-defined navigation update to the navigation system*"

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ALAN LUONG whose telephone number is (571)270-5091. The examiner can normally be reached on Mon.-Thurs., 8:00am-5pm EST.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Scott Beliveau can be reached on (571) 272-7343. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2427

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/ALAN LUONG/
Examiner, Art Unit 2427

/Scott Beliveau/
Supervisory Patent Examiner, Art Unit 2427